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March 25, 2004

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John A. Nocera, Esquire  
Rosner Nocera & Ragone LLP  
40 Wall Street – 24<sup>th</sup> Floor  
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RE: Motion to Dismiss

Dear Mr. Nocera:

We have reviewed your reply brief filed on behalf of your client, Mohammad Abdullah Al Jomaih. We pointed out in our original memorandum of law in opposition to your motion to dismiss, that it would have been more appropriate for you to have requested a more definite statement pursuant to Federal Rule of Civil Procedure 12(e). This would have allowed the parties to more efficiently frame the factual issues for the Court. In the memorandum opinion of Judge Robertson, issued on July 25, 2003, he recommended this course to avoid the Court having to make this determination. Judge Casey adopted the same procedure in his Case Management Order No. 1, dated March 3, 2004. This course of action makes abundant sense in light of the directives of the Court. Further, this course has been pursued by all other defendants.

Despite your refusal to request a more definite statement, we once again offer you the opportunity to make such a request or motion. We suggest you table or withdraw your motion for the time being. Please advise us of your position at your earliest convenience.

Yours truly,



Jodi Westbrook Flowers

JWF/crh

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